dorsed by Mackin in blank within a week after they were issued; that the checks for dividends were made payable to the order of John J. Mackin and addressed to and received by him regularly at the County Court House, New York county; that Mackin did not 'know any more about it than a child in the cradle'; that immediately prior to his appointment as

immediately prior to his appointment as

Commissioner, he, McCall, transferred the said stock to Ella Gaynor McCall; that such transfer 'was occasioned by

"There is nothing before me which in any way evidences the transfer of the stock from the ownership of the Com-

ntended to transfer the stock to his

certificate which was already indorsed by Mackin. The provisions of law rela-tive to the transfer are simple and clear.

believe that a transfer within the mean-

ered a period of two years, is alone re-

Believes in Spirit of Law.

and I direct the removal of the

McCALL IS SILENT.

Refuses to Comment on Governor'

Judge McCall came back to town early

When the text of the Governor's opin-

THOMPSON HOPEFUL.

Thinks Law Will Be Administered

Senator Thompson, chairman of the legislative committee which preferred the charges against McCall, said last night: "I think the action of the Governor

"I think the action of the Governor removing Judge McCall will result in

for executive action, which if properly pursued cannot help but improve the ad-ministration of the law to the benefit not only of patrons and the city, but the public service corporations themselves."

WOOD'S BOOKS SECRET.

Refuses to Permit Thompson Com-

mittee to See Bank Account.

Commissioner Wood admitted before

the Thompson legislative committee yes-terday that previous to becoming a Pub-

Continued on Fifth Page.

the statute and done for that purpos

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PRICE TWO CENTS.

Biggest Budget in Its History Is Faced Without Dismay.

600 BILLS OFFERED AS A BEGINNING

Army and Navy Ask for \$363,872,333, an Increase of \$124,000,000,

noon yesterday in the

nal defence will be conducted in the ouse on non-partisan lines. Repubbe taken into full confidence by Democrats. Committee hearings will be open except when diploor military secrets are dis-at present.
Gov. Whitman intended to

In the House the largely increased Republican membership caused joyful f that political faith. This jubilation by the satisfaction of Demhad gained in numerical

ngworth and other exget a hearty reception when he sauntered into the House with a cigar liting from his mouth at the usual

was reelected Speaker of the House and Mr. Clarke of Aransas was installed as President pro

CONGRESS CONVENES IN A HAPPY MOOD

Speaker Clark Prophestes Era of

Continuous Sessions. WASHINGTON, Dec. 6 .- The Sixtyfourth Congress got under way at noon to-day. It was hardly an hour old wher predictions were heard on all sides that he span of its life would extend well into next summer, and possibly into the

Champ Clark, in accepting his reelection as Speaker, made the harrowing suggestion that the time was rapidly approaching when, on account of the necessary increase in legislation, the tessions of Congress would be con-

Regardless of this foreboding the legislators started on their work in fine numerically in the House, well satisfied with the world and of success under the Wilson hip. The Republicans, whose ship increased from 121 to 197 nd showed every sign of harmony, were in a Republican Congress and epublican President in 1917 lowded galleries were interested whom attracted attention be have made their appearance ongress, that the eyes of the spectaters were turned with greatest interest.

Uncle Joe Warmly Greeted.

Uncle Joe Cannon, almost 80 years d and reelected to the House for the time, was greeted with a warm There was something of a personal umph in his reception and it was apply. It was only about three years ago that he found himthe House sometim

down to defeat two years to after a service in the House which atended from 1861 continuously, except or one Congress, the Fifty-second. His were sad over his defeat, for ared he would take it too much t. None of them expected he

when Uncle Joe sauntered into the se again to-day his cigar at its cus-ary angle and took his old seat, his Joe wore a gray suit, the fa-black tie and a stand up collar use, where he shook hands and elbows with the old and new

Gets Down to Business. Finally, dropping into his seat, he ossed his legs in a characteristic pose id, swinging one of them with his old

Continued on Fourth Page.

NEW CONGRESS McCall Removed; Governor MYSTERY DEEPENS BEGINS WORK Finds He Owns Light Stock

ON DEFENCE Public Service Chairman First Official of Kind to Be Ousted-Whitman's Decision Arraigns His Violation of Oath.

HAYWARD DESIGNATED AS TEMPORARY HEAD

ALBANT, Dec. 6.—Chairman Edward, still stands in the name of John J.

E. McCall of the New York city Public dorsed by Mackin in blank within a week office at 7 o'clock to-night by Gov. Whitnan. McCall's successor to serve his unexpired term of two years will be named by the Governor to-morrow. Commissioner Hayward will be designated to serve temporarily as chairman of the commission. It is expected that commissioner Hayward's designation Judge McCall's removal became ef-

fective when Gov. Whitman at 7 o'clock had the formal notice filed in the office of the Secretary of State. It is not necessary to serve this order on Judge on, carrying the largest McCall to make it effective, and he for national defence in the ceased to be a Public Service Commisioner the moment it was filed.

In the name of Mackin; that no consideration was paid in cash by Mrs. McCall; that the dividend checks continued to be indorsed by Mackin and were indorsed 'for deposit' by Ella Gaynor McCall; that the payment of the stock transfer tax upon the transfer to Mrs. McCall was 'entirely overlooked'; that no stock transfer tax stamps were affixed to the assignment of said certificate; that the Franklin Trust Company, the transfer agent, had no notice of any such transfer; that no written This is the first removal under the propriations provision in the public service commissions law which Charles E. Hughes inserted when he framed the law permitting the Governor to oust a Public Service Commissioner without the con-

of any such transfer; that no written memorandum of the transfer of the stock to Mrs. McCall can be found; that he, McCall, had the impression that he had Judge McCall's removal was based solely on Gov. Whitman's decision that he had not divested himself of the ownership of 387 shares of the Kings County Electric Light and Power Com-

"I find that this charge is sustained." said Gov. Whitman in his opinion, "and I direct the removal of the Commissioner. Having sustained this charge the other charges and specifications thereunder for the purposes of the record and in conformity to the

As a matter of fact Gov. Whitman As a matter of fact Gov. Whitman considered the other charges as of little substance and they would have been dismissed and Judge McCall retained in office if he had been able to convince the Governor that he did not own this stock

noval until to-morrow afternoon, when he would at the same time make public mind, however, early this evening newspaper men at the Executive Mansion at this time, interrupting his dinner to give them his decision.

The Governor had worked for the
past forty-eight hours on the decision.

He spent all day Saturday the great of the supreme Court, when one offence is charged against him, offers as a defence that he has committed another. If it be true that he transferred this stock to his wife and that he evening, would not reach the Minnesota until some time to make the same of the supreme Court, when one offence is charged against him, offers as a defence that he has committed to supreme Court, when one offence is charged against him, offers as a defence that he has committed another. If it be true that he transferred this stock to his wife and that he wrote a memorandum at that time set-

He spent all day Saturday, the greater part of Saturday night and all day to-day at the Executive Mansion framing it. This is Gov. Whitman's formal order emoving McCall:

In the matter of charges preferred against Edward E. McCall, chairman of the Public Service Commission of New York for the First District. Charges of misconduct in office and neglect of duty having been preferred against Edward E. McCall, as chairman of the Public Service Commis of the State of New York of the First District by the joint committee of the Senate and Assembly appointed to investigate the Public Service Commission of the State of New York and a copy of the said charges having been served upon and given to the said Edward E. McCall on the 15th day of November, together with a notice and summons fixing the 30th day of November, 1915, at the Executive cham-ber in the city of Albany as the day on which he would be afforded an op-portunity of being heard in his de-fence, which hearing was, upon reportunity of being heard in ms de-fence, which hearing was, upon re-quest of the said Edward E. McCall, postponed until Friday, the 3d day of December, 1915, on which day the said Edward E. McCall was duly heard in accordance with law, on the charges preferred against him.

Now therefore, the public interest requiring it, it is hereby ordered that the said Edward E. McCall be and he is hereby removed as a Public Service Commissioner of the State of New York for the First District.

Given under my hand and the Privy Seal of the State at the capital and in the city of Albany on this 6th day of December in the year of our Lord nineteen hundred and fifteen.

CHARLES S. WHITMAN. By the Governor:

WILLIAM A. ORR,
Secretary to the Governor.

Decision on One Charge.

In his opinion removing Judge McCall Gov. Whitman says:
"The first charge against Commisownership by him of certain shares of stock in the Kings County Electric Light and Power Company, and is as follows:

First-On the day of his appoint-ment to the office of Public Service Commissioner, First district, State of New York, namely, the fifth day of February, 1913, the said Edward E. McCall was the owner of capital stock of a public service corporation, or public service corporations, subject to the supervision of the Public Service Commission of the State of New York, First district, and knowingly and wilfully and in violation of the statute in such case made and provided failed neglected and omitted to divest him-self of such ownership, and has ever since continued to be and is still the

owner of such capital stock.

The Governor's decision then quotes Section 9 of the public service commis

removing Judge McCall will result in great public benefit. The weakness of the Public Service Commission in this district has been apparent to the people for some time. Various causes have contributed to this, but the principal cause in my judgment has been the mis-taken attitude of the men composing the commission. No person shall be eligible for pointment or shall hold the office of Commissioner or be appointed by a commission or by counsel to a com-mission to, or hold, any office or po-sition under a commission who holds any official relation to any person or corporation subject to the supervision of either commission or who owns stocks or bonds of any such corpo

The Governor continues:
"It is contended by Commissioner Mc-Call that prior to his appointment as Commissioner he divested himself of the ownership of this stock by transferring the same to Mrs. McCall, his wife, indorsed in blank, and that he delivered a memorandum transferring all his right, title and interest in and to the same declaring it to be an irrevocable gift. Admits Ownership.

is conceded by the Commissioner that prior to his appointment as Public Service Commissioner he was the owner of 387 shares of the stock of the Kings County Electric Light and Power Company, that the stock stood and that

ON CRIPPLED LINER

The Minnesota Drifts in Pacific With All Boilers Disabled.

PLOT DETAILS LACKING

Captain With \$1,000,000 Cargo for England Refuses Information.

to England with 16,000 tons of general cargo valued at more than \$1,000,000 hours after a second successful attemp in an official radiogram received here to-night from Capt. Thomas W. Garlick. The true position of the Minnesota at

6 o'clock this morning was received at San Diego late this afternoon, after United States naval authorities at that port had made a request for the informa-tion direct from the skipper of the disabled steamship. Capt. Garlick, in north 7 degrees west and ninety-nine miles north of Turtle Bay. The information flashed by Capt. Gar-

miles north of Turtle Bay.

The information flashed by Capt, Garlick is at variance with previous reports from the stricken vessel and, according to naval authorities, it is taken to show that insead of making four knots the Minnesota made but ninety-nine miles from 6 o'clock Thursday morning up to midnight Saturday, when the last bollers were put out of commission.

Capt. Garlick is said to have refused to send the position of the Minnesota or which direction the wind or tide was carrying her at noon to-day when the information was sought by wrreless. C. W. Wiley, port captain of this city, said to-night that he had not received a word from Capt. Garlick and was at a loss to understand the situation.

The secrecy which has shroude

Minnesota since she turned about from Lower California 1,500 miles south of San Francisco last Wednesday has puz-zled local shipping men. They point out that it is the invariable custom of masters of vessels in distress to signal their position, course and other details at least twice a day to Government or commer-

wrote a memorandum at that time setting forth his purpose to transfer, his
failure to pay the tax required by law
was a crime for which he could be imprisoned for six months. Of course, the
fact that the had information that
the sea was calm and the weather fair
south of San Diego.

In shipping circles here to-day it was fact that the statute of limitation pro- said that information had been received

tects him now from prosecution has no in this city from Seattle and St. Paul bearing upon the question involved. I that part of the cargo of the Minnesota would be discharged upon the arrival of

quire that the spirit, as well as the letter SUGAR SHIP FIRE SUSPICIOUS.

discovered, and he was not sure whether "The provision of the Constitution or not an explosion had occurred.

"The provision of the Country which imposes upon the Governor the duty to take care that the laws are faithfully executed compels me to see to faithfully executed that those hold-ADMIRAL LUDLOW STRICKEN. it, so far as I am able, that those hold-ing office under the government of this State should conform in their official con-

Suffers Stroke of Apoplexy In Rooms at the Gotham.

duct not only to the technical require-ments of the statute, but to the mani-fest spirit of the law, which must be recognized and observed if the full bene-fits thereof are to accrue to the people.

"I find that this charge is sustained, and I direct the removal of the Con-Rear Admiral Nicoll Ludlow, retired, as stricken with apoplexy yesterday in his apartment at the Hotel Gothum time after the stroke, that the hotel management, becoming worried, broke open his door and found him uncon-The house physician, Dr. I. L. Hill,

The nouse physician, Dr. I. L. Hill, was called, and after medical attention Admiral Ludlow regained consciousness. It was said late last night, however, that his condition was critical.

Admiral Ludlow had a long and active Admiral Ludlow had a long and active career in the navy. During the civil war he was attached to the steam sloop Wachusett, which captured the Confederate cruiser Florida October 7, 1864, and during the Spanish war he commanded the Terror, participating in the blockade of Santiago harbor and later sailing from Key West to get Hobson. ast evening after spending the week end t Easthampton, L. I. To reporters who

ion was received reporters went to the home of Judge McCall at 321 West Eighty-sixth street. He did not return there until after 11 o'clock and then said DRAWS PISTOL ON HER RIVAL Fend Between Two Atlanta

and replacement by men more nearly in touch with popular, moral and business ideals. Fidelity to the real purpose of the law, therefore, and not any matter of personality must have been the motive Official Statistics Show Decrease of about April to August 2. After he left

"Wall Street Wolf" in Spy Net as Paymaster for Franz Rintelen; U. S. Agents Raid a Bomb Plant

Cashier Back of Labor's Peace Council.

CHIEF BUSINESS WAS TO START STRIKES

Secret Service Men Find Great Amount of Explosives in Suspect's Den.

STRANGE PRISONER IS A YOUNG AUSTRIAN

North German Lloyd Line May Be Subject of Inquiry by Grand Jury.

and Rintelen, a German officer, conspired to buy strikes in munition plants in this country.

the conviction of officials of the Hamburg-American Line.

indictments against Robert This was construed that there might be fire in one or more of the holds, being part of a plot to destroy the vessel. It tion with the plots to blow up munition | ships, were returned yesterday by the

which was to seek an embargo on the export of arms and ammunition. That export of arms and ammunition. That give her a statement which will relieve violation of any law. export of arms and ammunition. That much was made emphatically clear by Mr. Marshall, and it is regarded as al-Mr. Marshall, and it is regarded as al-most certain that the Grand Jury, which for more than three months has been delving into the activities of Rintelen in this country, will return indictments soon

against certain labor agitators.

While Mr. Marshall confined himself in a guarded statement to the work alleged to have been done by Rintelen and Lamar, it is believed from information Lamar, it is believed from information Accuses Buchanan and Fowler of Fooling Them in was engaged in a much wider field. When in this country he boasted that "things were going to happen to and to munition plants." He also boasted that he had \$30,000,000, and could get more, to stop the shipments of munitions of war from this country.

U. S. Attorney's Statement.

Mr. Marshall's statement is important because of its restraint. has declined to discuss Rintelen's activities, though the importance attached to this man, who is said to be worth \$15,000,000 himself, was known about the Federal Building. In his statement Mr. Marshall said:

ized.

"We had reason to believe at least that they were telling people down East that the council was responsible for the strikes in munitions plants in Gary.

"That was when we began to have the strikes in munitions plants in Gary." about April to August 3. After he left and ceased supplying money the activities in munitions plants in Gary and elsewhere and getting credit for them when as a matter of fact this suspicions. Here we were out talking about the boys in the trenches and lesswhere and getting credit for them when as a matter of fact this suspicions. Here we were out talking about the boys in the trenches and this time except that in some way a united from Berlin giving the official birth statistics in twenty-four of the principal to July inclusive. They show a decrease of 20 per cent.

CUBA, FLORIDA, SAVANNAH, AUGUSTA, 2 at lasted Electric Lighted Trains Daily, Atlantic Coast Line. Office, 1198 B'way.

Continued on Sirth Page.

After he left the strikes in munitions plants in Gary and elsewhere and getting credit for fact this suspicions. Here we were out talking about the boys in the trenches and opposing strikes and that kind of thing, about the boys in the trenches and opposing strikes and that kind of thing, and all the time, we learned, the big fellows were getting credit for heaving about the boys in the trenches and opposing strikes and that kind of thing, and all the time, we learned, the big fellows were getting credit for hem when as a matter of fact this suspicions. Here we were out talking about the boys in the trenches and opposing strikes and that kind of thing, and all the time, we learned, the big fellows were getting credit for hem when as a matter of fact this suspicions. Here we were out talking about the boys in the trenches and opposing strikes and that kind of thing, and all the time, we learned, the big fellows were getting credit for hem when as a matter of fact this opposing strikes and that kind of thing, and all the time, we learned that the down opposing strikes and that kind of thing, and all the time, we learned the time, we learned the time, we learned the time, we stopped all expenditures in a hurry for them when as a matter of fact this opposing strikes and that kind of thing, in an interview with

David Lamar Is Named as U. S. WON'T TELL BERLIN WHY RECALL WAS ASKED

'Sources of Information" Requested in Cases of Boy-Ed and Von Papen Not to Be Divulged-Gerard Sends a Message.

declared emphatically that the United

bassador, directing him to ask for a bill of particulars, did not say whether or not Germany would secall the at-taches as lequested. In some quarters it was intimated, however, that even if the request is granted, the German Am-bassador will not ask the United States David Lamar, "the Wolf of Wall to obtain safe conduct for the two men; treet," was named by United States that unless the United States of its own motion obtains safe conduct not only for Capts. Boy-Ed and Von Papen, but for their successors to reach the United States, Capt. Boy-Ed and Von Papen will remain in this country in a private

nothing to show that the United States has modified its original intention, namely, that the two men should withdraw from the country. It was said positively that unless a safe conduct was requested the United States would not voluntarily arrange for it.

The position was taken that actually

safe conduct would be superfluous, the two attaches will retain their plomatic immunity from seizure un-United States in the premises would not extend "beyond the three mile limit." In German quarters it was pointed out that the State Department has not always taken this position regarding the immunity of diplomats of the Central Powers travelling through the British lines. It was said that last summer, when the German Government

much secrecy, but which is believed to the Government using it in requesting that Greece or he himself could be have described the effect of the recall of a diplomat or attache.

Washington, Dec. 6.—Developments in the relations between the United States and Germany growing out of the request for the recall of Capts. Boy-Ed and Von Papen, German Embassy attaches, are rapidly approaching a climax. Germany called on the United States to-day for the reasons for having. states to-day for the reasons for having received the recall of these two officers. High officials of the State Department declared emphatically that the United States was based in the case of Capt. Boy-Ed on his being advised of the contract of the Hamburg-American Line to provision German warships at sea, the inference being that he must have known of the false manifests and clearance papers; and in the case of Capt. When the received by Count von Bernstorff, the German Ambassador, directing him to ask for a bill of particulars, did not say whether certain communications in code and otherwise to Germany by Archibald, the American newspaper correspondent. In these same quarters it was In these same quarters it was con-tended this could be done without any necessity resting on the State Department to disclose "its sources of information." To leave Capt. Boy-Ed under the stigma of what the German authori-ties insist is the absolutely false charge that he was involved in the plot to start a new revolution in Mexico under Huerta, it is contended, would involve the German Ambassador himself, under whose direction alone Capt. Boy-Ed whose direction alone Capt. Boy-Ed could have entered into any political intrigue of this kind. To leave it to be inferred that the State Department regarded Boy-Ed or Von Papen as involved in the dynamite plots against American factories is likewise, say those in German diplomatic circles, placing either or both of the men uneither or both of the men un

der a false charge

these men was determined there was condition of Belgium was always before reason to believe that such a basis might his eyes, that Greece was only recoverbe reached through mutual concessions. ing from two wars and that his desire point where the principal thing to be devised was some sort of statement on

torney, as the aid of Franz Rintelen, Lieutenant-Captain of the German army and close friend of the Kaiser, in a plan to prevent the shipment of munitions to the Allies.

Lamar is accused of being the cashier for Rintelen in financing the Labor's National Peace Council, one of the aims of first—That Germany will insist before acting on the request for a recall and in the question the reasons, if reasons were given.

Secretary Lansing this afternoon did, however, direct the sending to the German Embassy of the stenographic report to them in the American press.

On high authority The Sun is able to state:

First—That Germany will insist before acting on the request for a recall contained in the reasons, if reasons were given.

Secretary Lansing this afternoon did, however, direct the sending to the German Embassy of the stenographic report United States Attorney Woods before the court in New York in the Hamburg-tonic in New York in the Fernance

WERE USED AS CATSPAWS

Peace Council Proceedings-Advanced Expenses

and Were Reimbursed by Some One.

CHICAGO, Dec. 6 .- Here is the inside not be stopped, to urge that the Gov-

ALLIES' PLANS FORMLESS, SAYS KING OF GREECE

Calls His Nation Victim of Vexation Over the Balkan Failure.

DENIES SECRET PACT WITH THE BULGARS

Declares That Nation the Hereditary Enemy of the Greeks.

'AID TO SERBIA WOULD MEAN RUIN

States Entente Has Treated Him as if He Were an African Ruler.

and hurt at the attacks on himself and

and sentiments. "King Constantine said," continues the correspondent, "that he was more nearly

istence of Greece were threatened. or

"From the beginning, King Constansolemn assurance that Greece did not cherish and never could cherish any de-

quire that the spirit, as well as the letter of the law, shall be faithfully carried out; that it was clearly the intention of the lawmakers that a Public Service Commissioner should have no interest in the stocks or bonds of a corporation over which the commissioner to his wife of this stock, whereas it might be regarded as a technical compilance with the law it would still have been in deflance of its control. Suppose Greece had joined the Allies and they had subsequently reduced their

of the Allies at Salonica. Did she not thus overstep her neutrality and render herself liable to similar demande from Germany, Austria and Bulgaria?

"Greece Victim of Vexation."

"Now the King said, it seemed that Greece was being made the victim of vexation over the Allies' unsuccessful policy toward Bulgaria. "The King insisted that the Greco-Serbian treaty deals solely with a Bal-kan war. If Greece had gone to help Serbia in the recent circumstances, he pointed out, it would only have meant the ruln of the two countries instead

The King emphatically denied the existence of the rumored Greco-Bulgarian treaty. Greece and Bulgaria, he said with emphasis, were hereditary enemies. He continued:

story of Labor's National Peace Council as told by William F. Kramer, second vice-president of the operantization of the operantization with the down and a meeting in June and with the control of the operantization. For months he Rintelen's actraince attached id to be worth s known about in his statement lity given in the tory concerning neil, I will say of the statement where the state of the repeated his testimony of the state of the state of the organization. This evening he repeated his testimony of the manufacturing itself.

"We had a meeting in June and opened headquarters at the Briggs through the state of the manufacturing itself.

"We had a meeting in June and opened headquarters at the Briggs through the state of the stat

Court and a peace warrant was taken error to the story concerning that I have help to the counting the two women met in the centre of the two women met in t

KING ACCUSES ALLIES.